

**IN THE SUPREME COURT OF THE STATE OF DELAWARE**

|                             |   |                              |
|-----------------------------|---|------------------------------|
| FRANK and JO-ANN MANDARANO, | § |                              |
|                             | § | No. 370, 2009                |
| Plaintiffs Below,           | § |                              |
| Appellants,                 | § |                              |
|                             | § | Court Below: Superior Court  |
| v.                          | § | of the State of Delaware,    |
|                             | § | in and for New Castle County |
| HARLEYSVILLE MUTUAL         | § |                              |
| INSURANCE COMPANY,          | § |                              |
|                             | § | C.A. Nos. 06C-03-047         |
| Defendant Below,            | § | and 05C-03-047               |
| Appellee.                   | § |                              |

Submitted: November 3, 2009

Decided: November 12, 2009

Before **BERGER, JACOBS** and **RIDGELY**, Justices.

**ORDER**

This 12<sup>th</sup> day of November 2009, the Court, having considered this matter on the briefs and the oral argument of the parties, and having concluded that the same should be affirmed on the basis of and for the reasons assigned by the Superior Court in its May 29, 2009 Opinion and Order;



NOW, THEREFORE, IT IS HEREBY ORDERED that the judgment of the Superior Court be, and the same hereby is, AFFIRMED.

BY THE COURT:

/s/ Carolyn Berger  
Justice